IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

OP.No. 36326 of 2000(Y)

PETITIONER:

K.GANGADHARAN, ASSISTANT EXECUTIVE ENGINEER (RTD.),
10/80 A SANGAM, OPP: SHAKTHI COLLEGE, KOPPAM,
PALGHAT.

BY ADV. SRI.T.M.SUNIL
SMT. S. CHITHRA

RESPONDENTS:
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1. **CHIEF ENGINEER, IRRIGATION AND ADMINISTRATION,**
TRIVANDRUM.

2. **THE ACCOUNTANT GENERAL (A&E),**
KERALA, TRIVANDRUM.

BY GOVERNMENT PLEADER SMT. SMITHA SUKUMARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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ORDER ON CMP NO. 61854/2000 IN OP NO. 36326/2000 Y.

DISMISSED

12/09/2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SUSPENSION ORDER DT. 5/08/94 ALONG WITH COVERING LETTER.

EXT.P2. COPY OF THE SHOW CAUSE NOTICE DT. 16/08/97.

EXT.P3. COPY OF THE STATEMENT DT. 29/09/97 OF THE PETITIONER.

EXT.P4. COPY OF THE SHOW CAUSE NOTICE DT. 10/11/99 ALONG WITH COVERING LETTER.

EXT.P5. COPY OF THE STATEMENT DT. 17/12/99 OF THE PETITIONER.

EXT.P6. COPY OF THE COMMUNICATION DT. 14/6/00 OF THE R1.

EXT.P7. COPY OF THE PETITIONERS REPRESENTATION DT. 22/07/00.

RESPONDENT'S EXHIBITS NIL.

True copy

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THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.36326 OF 2000

Dated this the 12th day of September, 2007

JUDGMENT

Learned Government Pleader appears for the respondents. Service complete.

The complaint of the petitioner, who has retired from service, is that his retiral benefits were being withheld as not finalised on account of certain vigilance enquiry that is pending. It is pointed out now that the vigilance enquiry has ended up and the petitioner is being exonerated. The quality of exoneration and other attendant facts has, therefore, to gain the attention of the competent authority for finalising the issue as to how the retiral benefits of the petitioner are to be finalised. Under such circumstances, without expressing anything on merits, this writ petition is disposed of directing that the case of the petitioner will be taken up for consideration by the first respondent and a decision shall be rendered on the question of fixation of the retiral benefits, after giving the petitioner an opportunity of

being heard. The final decision as aforesaid shall be taken within an outer limit of four months from the date of receipt of a copy of this judgment.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.36326 OF 2000

JUDGMENT

12th SEPTEMBER, 2007.

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